UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/034,644	12/28/2001	Robert W. Naismith	12935US02	9584

7590	12/05/2006	

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EXAMINER
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ART UNIT	PAPER NUMBER
3691	

DATE MAILED: 12/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-10* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-10* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>28 December 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

    1.☐ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____ .

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____ .

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____ .

DETAILED ACTION

Priority

1.   Applicant's claim for the benefit of a prior-filed, provisional application is

acknowledged and approved. Priority date for the current application is therefore 12

December 2000.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3.   Claims 1, 3-4, and 6-10 are rejected under 35 U.S.C. 102(b) as being anticipated

by Nielsen, U.S. Patent No. 5,948,054, reference A on the attached PTO-892.

4.   As per claim 1, Nielsen teaches an interactive information exchange tool

comprising: a network interface connected to an external network, i.e. the computer

system includes a customer computer, a consultant computer, a server computer, and a

network communication mechanism which provides a mechanism for facilitating

communication between the customer computer, the consultant, and the server (see

column 5, lines 11-13 and 22-25 of Nielsen); a processing circuit coupled to the network

interface, i.e. the server computer includes a processor, a memory, and an interface for

facilitating input and output in the destination computer (see column 5, lines 37-39 of

Nielsen); and a memory coupled to the processing circuit, the memory storing, for

execution by the processing circuit, instructions, i.e. the server computer includes a

memory which stores a number of items, including an operating system and web server

software (see column 5, lines 37-41 of Nielsen); for: receiving a query from a remote

user over the network interface, i.e. a customer enters a new question into the system

through the use of the web page (see column 6, lines 45-47 of Nielsen); presenting the

query to an online analyst, i.e. the matchmaking script processes the new question to

determine which of the consultants are capable of answering the new question and then

the question is posted to a personal web page for at least one of the qualified

consultants (see column 6, lines 66-67 and column 7, lines 1-3 of Nielsen); accepting an

answer to the query from the online analyst, i.e. an answer is received from the

consultant's personal web page (see column 10, lines 36-37 of Nielsen); and sending

the answer to the remote user over the network interface, i.e. the received answer is

sent to the customer at the retrieved email address (see column 10, lines 41-42 of

Nielsen).

5.   As per claim 3, Nielsen teaches the information exchange tool of claim 1 as

described above. Nielsen further teaches the information exchange tool further

comprising within the memory, instructions for: directing the query to a hub analyst who

selects at a hub destination the online analyst to answer the query, i.e. the

matchmaking script invokes a method which identifies those consultants who are best

qualified to answer the new question (see column 7, lines 4-6 of Nielsen); and

forwarding the query to the hub destination, i.e. the matchmaking script invokes a

method which posts the new question to a personal web page for those consultants

deemed most qualified to answer the new question (see column 7, lines 13-16 of

Nielsen).

6.   As per claim 4, Nielsen teaches a method for interactive information exchange,

the method comprising the steps of: receiving a query from a remote user over a

network interface connected to an external network, i.e. a customer with a question

connects to a world wide web server and fills in a form with a natural language

description of the question (see column 3, lines 57-60 of Nielsen); presenting the query

to an online analyst, i.e. the matchmaking service posts the question on personal web

pages for consultants who have the background to answer the question (see column 4,

lines 13-15 of Nielsen); accepting an answer to the query from the online analyst, i.e.

the consultant types up the answer to the question and returns it to the server (see

column 4, lines 56-57 of Nielsen); and sending the answer to the remote user over the

network interface, i.e. the server looks up the customer's email address in its database

and forwards the answer to the customer who is billed for the service (see column 4,

lines 57-59 of Nielsen).

7.   As per claim 6, Nielsen teaches the interactive information exchange method of

claim 4 as described above. Nielsen further teaches the method comprising the steps

of: directing the query to a hub analyst who selects at a hub destination the online

analyst to answer the query, i.e. the matchmaking service preferably matches a

question to consultants by first selecting those who are experts in the categories

checked by the customer (see column 4, lines 13-15 and 23-25 of Nielsen); and

forwarding the query to the hub destination, i.e. the question is posted on the

consultants' personal web pages (see column 4, lines 13-15 and 31-32 of Nielsen).

8.   As per claim 7, Nielsen teaches the interactive information exchange tool of claim

3 as described above. Nielsen further teaches the interactive information exchange tool

further comprising within the memory instructions for redirecting the query to a further

hub destination, i.e. when a consultant exits his or her personal web page without

reserving a new question, that new question is removed from the consultant's personal

web page and added to the personal web page of the consultant whose similarity rating

indicates that he or she is the next most qualified consultant to answer the question

(see column 9, lines 55-60 of Nielsen).

9.   As per claim 8, Nielsen teaches the interactive information exchange tool of claim

3 as described above. Nielsen further teaches the interactive information exchange tool

further comprising within the memory instruction for redirecting the query to a further

hub analyst, i.e. when a consultant exits his or her personal web page without reserving

a new question, that new question is removed from the consultant's personal web page

and added to the personal web page of the consultant whose similarity rating indicates

that he or she is the next most qualified consultant to answer the question (see column

9, lines 55-60 of Nielsen).

10.   As per claim 9, Nielsen teaches the interactive information exchange method of

claim 6 as described above. Nielsen further teaches the interactive information

exchange method further comprising the step of redirecting the query to a further hub

destination, i.e. the matchmaking service notes the questions posted to the consultant's

personal web page which are not going to be answered by that consultant, and instead

posts those questions to a personal web page for the consultant with the best similarity

score that has not already been given the opportunity to answer the question (see

column 4, lines 42-47 of Nielsen).

11.   As per claim 10, Nielsen teaches the interactive information exchange method of

claim 6 as described above. Nielsen further teaches the interactive information

exchange method further comprising the step of redirecting the query to a further hub

analyst, i.e. the matchmaking service notes the questions posted to the consultant's

personal web page which are not going to be answered by that consultant, and instead

posts those questions to a personal web page for the consultant with the best similarity

score that has not already been given the opportunity to answer the question (see

column 4, lines 42-47 of Nielsen).

Claim Rejections - 35 USC § 103

12.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

13.   Claims 2 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Nielsen, U.S. Patent No. 5,948,054, reference A on the attached PTO-892, in view of

Reaching Beyond Your Grasp, Anonymous, 20 February 1995, InfoWorld Media Group,

Vol. 17, Issue 8, pg. 66, reference U on the attached PTO-892.

14.   As per claim 2, Nielsen teaches the interactive information exchange tool of claim

1 as described above. However, Nielsen does not explicitly teach the tool further

comprising opening a link remotely. InfoWorld however does teach the tool further

comprising within the memory, instructions for: opening, at the remote user, an

information link selected by the online analyst, i.e. the guest's computer assumes the

capabilities of the host, and everything on the host's screen is mirrored on the guest's

(see page 1, lines 15-16 of InfoWorld). It would have been prima facie obvious to one

of ordinary skill in the art at the time the invention was made to incorporate this

emulation ability into the system of Nielsen. One of ordinary skill in the art would have

been motivated to incorporate this feature to demonstrate an application to a remote

user or answer that person's questions (see page 2, lines 19-20 of InfoWorld).

15.   As per claim 5, Nielsen teaches the interactive information exchange method of

claim 4 as described above. However, Nielsen does not explicitly teach the method

further comprising opening a link remotely. InfoWorld however does teach the method

further comprising the steps of: opening, at the remote user, an information link selected

by the online analyst, i.e. the guest's computer assumes the capabilities of the host, and

everything on the host's screen is mirrored on the guest's (see page 1, lines 15-16 of

InfoWorld). It would have been prima facie obvious to one of ordinary skill in the art at

the time the invention was made to incorporate this emulation ability into the system of

Nielsen. One of ordinary skill in the art would have been motivated to incorporate this

feature to demonstrate an application to a remote user or answer that person's

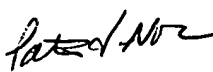questions (see page 2, lines 19-20 of·InfoWorld).

Conclusion

1.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to David M. Kohut, Esq. whose telephone number is 571-270-1369. The examiner can normally be reached on M-Th 730-5 w/1st Fri off. 2nd Fri 730-4.

2.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick J. Nolan can be reached on 571-272-0847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

3.   Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DMK

11/28/2006

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11/28/06